

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEYS DOCKET NO. 2472-90-PUS U.S. APPLICATION NO. (If known, see 35 CFR 1.5) not yet assigned
INTERNATIONAL APPLICATION NO. PCT/US2005/004639	INTERNATIONAL FILING DATE 10 February 2005	PRIORITY DATE CLAIMED 10 February 2004
TITLE OF INVENTION METHODS OF CONTROLLING MICROORGANISMS IN PACKAGED FOODS		
APPLICANT(S) FOR DO/EO/US Warren MIRTSCHING, R. Todd BACON, and John HULSE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (20) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> A preliminary amendment. 13. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 14. <input type="checkbox"/> A substitute specification. 15. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. 17. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 1.54(d)(4). 19. <input type="checkbox"/> Other items or information: 		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="text-align: center;">not yet assigned</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/US2005/004639</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">2472-90-PUS</div>	
--	--	---	--	--	--

20. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search fee \$100.00 <div style="text-align: right;">TOTAL OF ABOVE CALCULATIONS = \$600.00</div>					Applicant use		Office use only	
					\$	300.00		
					\$	200.00		
					\$	100.00		
					\$	600.00		

<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE					
8	-100 =	-92 /50 =	0	x \$250.00	\$	0			
Surcharge of \$130.00 for finishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))					\$				
CLAIMS		NUMBER FILED		NUMBER EXTRA	RATE				
Total claims		15 - 20 =		0	x \$50.00	\$	0.00		
Independent claims		3 - 3 =		0	x \$200.00	\$	0.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					+ \$360.00	\$			
TOTAL OF ABOVE CALCULATIONS =						\$	600.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.									
SUBTOTAL =						\$			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					+	\$			
TOTAL NATIONAL FEE =						\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property					+	\$			
TOTAL FEES ENCLOSED =						\$	600.00		
Amount to be refunded:						/ / / / /		\$	
Amount to be charged:						/ / / / /		\$	

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 191970 in the amount of \$ 600.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

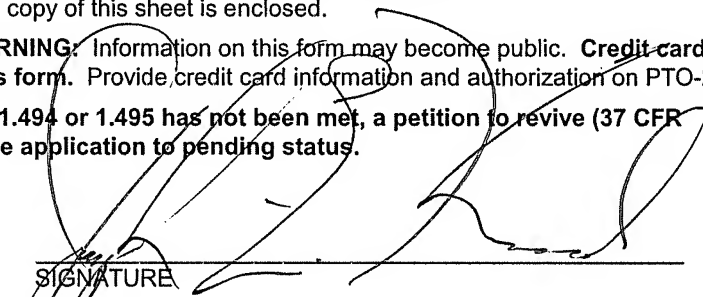
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1970. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SHERIDAN ROSS P.C.
 1560 Broadway, Suite 1200
 Denver, Colorado 80202-5141
 Telephone: (303) 863-9700
 Facsimile: (303) 863-0223


 SIGNATURE
 Joseph E. Kovarik
 Registration No. 33,005

CUSTOMER NO. 22442